SEA GES COA TO ON WEAT TO ON THE SEA CHUSE TO GO

The Commonwealth of Massachusetts Department of the State Treasurer Alcoholic Beverages Control Commission Boston, Massachusetts 02114

Sleven Grossman Treasurer and Receiver General Kim S. Gainsboro, Esq. Chairman

DECISION

MINA'S FOODS, INC. DBA VERA'S MINI MART 1 PLUMMERS CORNER NORTHBRIDGE, MA 01588 LICENSE#: 090400021 HEARD: 3/20/2012

Mina's Foods, Inc. dba Vera's Mini Mart (the "Licensee") holds an all-alcoholic beverages license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, March 20, 2012, regarding an alleged violation of M.G.L. c. 138, §34 (1 count). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Jan Kujawski's Compliance Check Field Report.

The following documents and physical items are in evidence:

- 1. Investigator Kujawski's Compliance Check Field Report dated August 29, 2011;
- 2. Licensee's Stipulation of Facts;
- 3. Compliance Check Guidelines;
- 4. Underage Operative Signed Release;
- 5. Photo of Underage Operative;
- 6. Compliance Check Breathalyzer Results of Underage Operative; and
- 7. One (1) bottle of Miller High Life beer.

There is one (1) audio recording of this hearing.

FACTS

- 1. On Monday, August 29, 2011, at approximately 7:07 p.m., Investigators Jan Kujawski and Dennis Keefe conducted an investigation of the business operation of Mina's Foods, Inc. dba Vera's Mini Mart.
- 2. An underage operative working with investigators purchased an alcoholic beverage, a forty ounce (40 oz.) bottle of Miller High Life beer, for two dollars and fifty cents (\$2.50). The underage operative was not asked for identification.

2772 3872

CONCLUSION

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34 (1 count). Therefore, the Commission suspends the license for four (4) days of which four (4) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner

Kim S. Gainsboro, Chairman

Dated: March 20, 2012

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

cc: Local Licensing Board

Frederick G. Mahony, Chief Investigator

Jan Kujawski, Investigator

Administration

File